

REMARKS

In the Office Action mailed August 3, 2009, the Office noted that claims 17-36 were pending and rejected claims 17-36. No claims have been amended, no claims have been canceled, and, thus, in view of the foregoing, claims 17-36 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

REJECTIONS under 35 U.S.C. § 102

Claims 17, 20, 21, 28 and 31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hirano, U.S. Patent No. 2004/0247278. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Hirano discusses a system to reduce the number of base stations and handover number and secure a communication feasible area to prevent a break of communication between a mobile body side and a ground side by transmitting the handover on the ground side equipment.

On page 3 of the Office Action, it is asserted that Hirano ¶ 0056, lines 3-4; Fig. 7a, item 19, item 31, item 44; Fig. 8a-d, item 33 disclose "the station apparatus located front-most in the moving direction of the mobile body being adapted to transmit the information comprising a frequency of a plurality of frequencies acquired at the time of retrieving an access point

apparatus to which the station apparatus located front-most in the moving direction of the mobile body is adapted to belong, to the station apparatus other than the station apparatus located front-most in the moving direction of the mobile body by way of the intra-mobile-body communication network," as in claim 17.

Further, in the Response to Arguments on page 14, the Office asserts "that Hirano discloses that the internal communications means which are connected to each other and they exchange control connection switching or handover information to permit other external communication means to connect to the AP's within range or becoming range."

The Applicant respectfully disagrees. Nowhere in Hirano is the information of frequencies of the station apparatus located front-most transferred to other station apparatus via the internal communication means.

The Applicant acknowledges that there is in fact an internal communications means in Hirano. However, Hirano ¶ 0050 discloses:

The mobile body 1 comprises an internal communication means 31 and an **external communication means 33**. For example, the terminal 35 in each vehicle and the internal communication means 31 can be connected to each other by 5 GHz radio communication. Meanwhile, the external communication means 33 of the mobile body 1 and the antenna 21 on the ground side can be connected to each other by 25 GHz radio communication. The plurality of internal communication means 31 can be connected to each other by wire/60 GHz radio communication. A network can be thereby constructed in the mobile body 1, and **the terminal 35 connected to this network can be thereby connected to the AP 11 via**

the internal communication means 31 and the external communication means 33. In FIG. 3, it is shown that one internal communication means 31 exists in one vehicle. However, construction is not limited to the foregoing, and the internal communication means 31 can be arranged in other construction as long as the terminal 35 in the mobile body 1 is available for communication. [Emphasis added]

Thus, it is clear from the text of Hirano, that the internal communication means 31 is present for the purpose of allowing the terminal 35 to communicate over the internal network.

Further, Hirano ¶ 0075 states:

Next, the mobile body 1 moves, and the first external communication means 33 enters into the second communication feasible area (refer to FIG. 8B). Here, the first external communication means 33 is capable of communication in the second communication feasible area, the second external communication means 33 is capable of communication in the first communication feasible area, and the handover can be processed. **The handover is, for example, conducted by sending information in relation to the handover to the first communication feasible area via the second external communication means 33, processing the handover on the ground side,** and letting the first external communication means 33 receive the processing result via the second communication feasible area. The handover processing has to be conducted before the second external communication means 33 is out of the first communication feasible area and enters into the communication unfeasible area 45 (refer to FIG. 8C). When the mobile body 1 further moves, and the second external communication means 33 enters into the second communication feasible area (refer to FIG. 8D), it becomes possible that the terminal 35 in the mobile body 1 again conducts communication via either of the first or the second external communication means 33 and the second communication feasible area. [Emphasis added]

Thus, Hirano ¶ 0075, clearly and unequivocally states that the handover is handled, not through the internal

communication network, but via the ground side, meaning that Hirano does not disclose "transmit the information comprising a frequency ... to the station apparatus other than the station apparatus located front-most in the moving direction of the mobile body **by way of the intra-mobile-body communication network.**" (Emphasis added)

For at least the reasons discussed above, claims 17 and 28 and the claims dependent therefrom are not anticipated by Hirano.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 18, 19, 29 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hirano in view of Syed, U.S. Patent No. 6,845,230. The Applicant respectfully disagrees and traverses the rejection with an argument.

Syed adds nothing to the deficiencies of Hirano as applied to the independent claims. Therefore, Hirano and Syed, taken separately or in combination, fail to render obvious the features of claims 18, 19, 29 and 30.

Claims 22-27 and 32-36 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hirano in view of Moelard, U.S. Patent No. 5,636,217. The Applicant respectfully disagrees and traverses the rejection with an argument.

Moelard discusses a system that stores in access points

information about mobile stations and forwards data bound for an original destination access point to another if the mobile station moves from the original destination access point to the other access point.

Claims 22 and 32 have been amended in a manner consistent with the amendment of claim 17. Moelard does not disclose a plurality of frequencies.

However, even if, assuming *arguendo*, Moelard did disclose a plurality of frequencies, one of ordinary skill in the art would not have looked to Moelard to teach that which the main reference state is disadvantageous.

Therefore, Hirano and Moelard, taken separately or in combination, fail to render obvious the features of claims 22 and 32 and the claims dependent therefrom.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 17-36 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./

James J. Livingston, Jr.
Reg. No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JJL/lrs